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10/072,382

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James D. Pravetz

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10/27/2006

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EXAMINER

STORK, KYLE R

ART UNIT

PAPER NUMBER

2178

DATE MAILED: 10/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/072,382

Applicant(s)

PRAVETZ, JAMES D.

Examiner

Kyle R. Stork

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This non-final office action in response to the remarks filed 26 July 2006.
2. Claims 1-32 are pending. Claims 1 and 17 are independent. The rejection of claims 1-32 under 35 USC 103 has been withdrawn.

### ***Drawings***

3. The drawings were received on 6 February 2006. These drawings are accepted.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-32 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per independent claims 1 and 17, the applicant claims, "at the time of electronically signing an electronic document, previewing the electronic signature appearance in the bounding region, where the electronic signature appearance can be edited based on a user input after previewing the electronic signature appearance and before electronically signing the electronic document (claim 1, lines 7-10)." It is unclear how the electronic signature appearance is previewed in the bounding region of the document to be signed prior to signing the document.

Claims 2-16 and 18-32 are rejected based upon their dependence upon a rejected base claim.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-32 are rejected under 35 U.S.C. 102(b) as being anticipate by Microsoft® Outlook® 2000 (1999, hereafter Outlook).

As per independent claims 1 and 17, Outlook discloses a method for signing an electronic document, the method comprising:

- Establishing an electronic signature appearance for an electronic signature, an electronic signature appearance comprising a visual manifestation of a signer's signature on the electronic document (Figure 1: Here, a user is able to select an appropriate signature for a document (Figure 1, item 1). The electronic signature is previewed in a bounding region (Figure 1, item 2))
- Determining a bounding region on the electronic document for the display of the electronic signature appearance (Figure 3, item 1: Here, the signature is affixed at the end of the document)
- At the time of electronically signing an electronic document, previewing the electronic signature in the bounding region, where the electronic signature

appearance can be edited based on a user input after previewing the electronic signature appearance and before electronically signing the electronic document (Figure 2, item 1: Here, the user may edit the text to appear in the signature; Figure 1, item 1: Here, as with any other text within a document (in this instance, an electronic mail message), the signature may be edited in a WYSIWYG fashion)

- Signing the electronic document with an electronic signature, the electronic signature appearance being included in the electronic document signed with the electronic signature (Figure 3)

As per dependent claims 2 and 18, Outlook discloses the method further comprising configuring the electronic signature at the time of signing the electronic document (Figure 3: Here, the signature is added and editable at the time of signing the document).

As per dependent claims 3 and 19, Outlook discloses the method wherein configuring the electronic signature appearance comprises interacting with a user signing the electronic document (Figures 3 and 5, item 2: Here, the text "(HERE IS A MODIFICATION)" has been added by the user).

As per dependent claims 4 and 20, Outlook discloses wherein configuring the electronic signature appearance comprises receiving user input activating controls for controlling textual and graphic elements included in the electronic signature appearance (Figure 1, item 1: Here, a user selects from a plurality of signatures to apply to a document).

As per dependent claims 5 and 21, Outlook discloses wherein the controls comprise one or more of checkboxes and buttons (Figure 1, item 3: Here, after a user selects a signature, the user activates a button, in this instance the "OK" button, to select the signature).

As per dependent claims 6 and 22, Outlook discloses wherein previewing the electronic signature appearance includes previewing a display in a configuration dialog box of the electronic signature appearance within the bounding region and the controls for controlling textual and graphic elements (Figures 1 and 2).

As per dependent claims 7 and 23, Outlook discloses wherein previewing the electronic signature appearance includes displaying the electronic signature appearance within the bounding region on a display of the electronic document (Figure 3).

As per dependent claims 8 and 24, Outlook discloses including in the electronic signature appearance textually elements automatically copied from a certificate of a user signing the electronic document (Figures 1 and 3; help topic from Outlook "Create a signature for messages:" Here, the signature is copied from a template).

As per dependent claims 9 and 25, Outlook discloses establishing an electronic signature appearance comprises receiving user input selecting an electronic signature appearance from one or more existing electronic signature appearances (Figure 1, item 1).

As per dependent claims 10 and 26, Outlook discloses establishing an electronic signature appearance comprises interacting with a user to create an electronic signature appearance (Figures 1 and 2; help topic "Create a signature for messages").

As per dependent claims 11 and 27, Outlook discloses establishing an electronic signature appearance comprises receiving an electronic signature appearance pre-configured by an author of the electronic document to be signed (Figure 3: Here, the signature appearance was pre-configured by an author via the interface of Figures 1 and 2).

As per dependent claims 12 and 28, Outlook discloses determining a bounding region on the electronic document for the electronic signature appearance comprises interacting with a user signing the electronic document to establish a bounding region (Figures 3-4).

As per dependent claims 13 and 29, Outlook discloses previewing the electronic signature appearance comprises previewing the electronic signature appearance configured to fit within the bounding region (Figures 3-4).

As per dependent claims 14 and 30, Outlook discloses wherein determining the bounding region on the electronic document for the electronic document for the electronic signature appearance comprises establishing a bounding region pre-set by the author of the electronic document (Figures 3-4).

As per dependent claims 15 and 31, Outlook discloses determining an optimal layout of the electronic signature based on the dimensions of the bounding region (Figure 1, item 2; Figures 3-4).

As per dependent claims 16 and 32, Outlook discloses determining optimal dimensions of the bounding region based on the electronic signature appearance (Figures 4-5).

### ***Response to Arguments***

8. Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyle R. Stork whose telephone number is (571) 272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.




Art Unit: 2178

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kyle R Stork  
Patent Examiner  
Art Unit 2178

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STEPHEN HONG  
SUPERVISORY EXAMINER